



Tourism Committee

**Tuesday, March 28, 2006
1:00 PM
306 HOB**

Committee Action

**Allan G. Bense
Speaker**

**Rep. Nancy Detert
Chair**

COMMITTEE MEETING REPORT

Tourism Committee

3/28/2006 1:00:00PM

Location: 306 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Nancy Detert (Chair)	X		
Thomas Anderson	X		
Bruce Antone	X		
Edward Bullard	X		
Don Davis	X		
Rene Garcia	X		
Hugh Gibson	X		
Sheri McInvale	X		
Totals:	8	0	0

COMMITTEE MEETING REPORT

Tourism Committee

3/28/2006 1:00:00PM

Location: 306 HOB

HB 301 : Local Option Surcharge on Rentals or Leases of Motor Vehicles

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Bruce Antone	X				
Edward Bullard	X				
Don Davis	X				
Rene Garcia		X			
Hugh Gibson	X				
Sheri McInvale	X				
Nancy Detert (Chair)		X			
Total Yeas: 6		Total Nays: 2			

Appearances:

Local Option Surcharge

Dave Ericks (Lobbyist) - Proponent

South Florida Regional Transportation Authority

205 South Adams Street

Tallahassee Florida 32301

Phone: 850-244-0880

Surcharge

Rick Watson - Opponent

Americans for Tax Reform

P.O. Box 10038

Tallahassee Florida 32302

Phone: 850-222-0000

Rental Car Surcharge

Mark Jeffries (Lobbyist) - Proponent

Orange County Government

201 S. Rosalind Avenue

Orlando Florida 32801

Phone: 407-836-5909

Rental Car Surcharge

Scott Denson - Opponent

Enterprise Rent-A-Car

130 University Park Drive, #235

Orlando Florida 32792

Phone: 407-670-0799

COMMITTEE MEETING REPORT

Tourism Committee

3/28/2006 1:00:00PM

Location: 306 HOB

Rental Car Surcharge

Bob O'Malley (Lobbyist) - Proponent

Metroplan Orlando

315 E. Robinson Street, #355

Orlando Florida 32701

Phone: 407-481-5672 x 323

Local Option Rental Car Surcharge

Doug Callaway (Lobbyist) - Proponent

Floridians for Better Transportation

136 S. Bronough Street

Tallahassee Florida 32301

Phone: 850-521-1256

Car Rental Taxation

Jim East - Opponent

Vanguard Car Rental USA, Inc.

6929 N. Lakewood Avenue, Suite 100

Tulsa Oklahoma 74117

Phone: 918-401-6447

Local Option Surcharge

Howard Glassman (Lobbyist) - Proponent

Florida MPO Advisory Council

605 Suwannee Street MS 28B

Tallahassee Florida 32399

Phone: 850-414-4062

Local Option Surcharge

Ted Smith (Lobbyist) - Information Only

FADA - Florida Automobile Dealers Association

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 301

COUNCIL/COMMITTEE ACTION

ADOPTED — (Y)N
ADOPTED AS AMENDED — (Y/N)
ADOPTED W/O OBJECTION — (Y/N)
FAILED TO ADOPT — (Y/N)
WITHDRAWN — (Y/N)
OTHER —

3/28/06

Council/Committee hearing bill: Tourism Committee
Representative(s) Quinones offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Section 212.0606, Florida Statutes, is amended
to read:

212.0606 Rental car surcharge.--

(1) A surcharge of \$2 ~~\$2.00~~ per day or any part of a day
is imposed upon the lease or rental of a motor vehicle licensed
for hire and designed to carry fewer ~~less~~ than nine passengers,
regardless of whether such motor vehicle is licensed in Florida.
The surcharge applies to only the first 30 days of the term of
any lease or rental and. ~~The surcharge~~ is subject to all
applicable taxes imposed by this chapter.

(2)(a) Notwithstanding ~~the provisions of~~ section 212.20,
and less costs of administration, 80 percent of the proceeds of
~~the this~~ surcharge imposed under subsection (1) shall be
deposited in the State Transportation Trust Fund, 15.75 percent
of the proceeds of this surcharge shall be deposited in the
Tourism Promotional Trust Fund created in s. 288.122, and 4.25

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Amendment No. (for drafter's use only)

23 percent of the proceeds of this surcharge shall be deposited in
24 the Florida International Trade and Promotion Trust Fund. As
25 used in ~~For the purposes of~~ this subsection, "proceeds" of the
26 surcharge means all funds collected and received by the
27 department under subsection (1) ~~this section~~, including interest
28 and penalties on delinquent surcharges. The department shall
29 provide the Department of Transportation rental car surcharge
30 revenue information for the previous state fiscal year by
31 September 1 of each year.

32 (b) Notwithstanding any other provision of law, in fiscal
33 year 2007-2008 and each year thereafter, the proceeds deposited
34 in the State Transportation Trust Fund shall be allocated on an
35 annual basis in the Department of Transportation's work program
36 to each department district, except the Turnpike District. The
37 amount allocated for each district shall be based upon the
38 amount of proceeds attributed to the counties within each
39 respective district.

40 (3) (a) In addition to the surcharge imposed under
41 subsection (1), a county may impose by countywide referendum a
42 local surcharge of \$2 per day or any part of a day upon the
43 lease or rental of a motor vehicle licensed for hire and
44 designed to carry fewer than nine passengers, regardless of
45 whether such motor vehicle is licensed in this state. The local
46 surcharge may be applied to only the first 30 days of the term
47 of any lease or rental. The surcharge shall not apply to the
48 lease or rental of a motor vehicle by a person for the period of
49 time required to have a motor vehicle owned by the person
50 undergo maintenance or repair. The person must provide a
51 receipt for the cost of the maintenance or repair services and
52 documentation that the person owns the motor vehicle undergoing

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Amendment No. (for drafter's use only)

53 maintenance or repair. The surcharge is subject to all
54 applicable taxes imposed by this chapter.

55 (b) If the ordinance authorizing the imposition of the
56 surcharge is approved by such referendum, a certified copy of
57 the ordinance shall be furnished by the county to the department
58 within 10 days after such approval, but no later than November
59 16 prior to the effective date. The notice must specify the
60 time period during which the surcharge will be in effect and
61 must include a copy of the ordinance and such other information
62 as the department requires by rule. Failure to timely provide
63 such notification to the department shall result in the delay of
64 the effective date for a period of 1 year. The effective date
65 for any county to impose the surcharge shall be January 1
66 following the year in which the ordinance was approved by
67 referendum. A local surcharge may not terminate on a date other
68 than December 31.

69 (c) Any dealer that collects the local surcharge but fails
70 to report surcharge collections by county, as required by
71 paragraph (4) (b), shall have the surcharge proceeds deposited
72 into the Solid Waste Management Trust Fund and then transferred
73 to the Local Option Fuel Tax Trust Fund, which is separate from
74 the county surcharge collection accounts. The department shall
75 distribute funds in this account, less the cost of
76 administration, using a distribution factor determined for each
77 county that levies a surcharge based on the county's latest
78 official population determined pursuant to s. 186.901 and
79 multiplied by the amount of funds in the account and available
80 for distribution.

81 (d) Notwithstanding s. 212.20, and less the costs of
82 administration, the proceeds of the local surcharge imposed
83 under paragraph (a) shall be transferred to the Local Option

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

84 Fuel Tax Trust Fund for the purposes allowed under s. 206.60 and
85 distributed monthly by the department under s. 336.025(3)(a)1.
86 or (4)(a). As used in this subsection, "proceeds" of the local
87 surcharge means all funds collected and received by the
88 department under this subsection, including interest and
89 penalties on delinquent surcharges.

90 ~~(4)(3)~~(a) Except as provided in this section, the
91 department shall administer, collect, and enforce the surcharge
92 and local surcharge as provided in this chapter.

93 (b) The department shall require dealers to report
94 surcharge collections according to the county to which the
95 surcharge and local surcharge was attributed. For purposes of
96 this section, the surcharge and local surcharge shall be
97 attributed to the county where the rental agreement was entered
98 into.

99 (c) Dealers who collect a the rental car surcharge shall
100 report to the department all surcharge and local surcharge
101 revenues attributed to the county where the rental agreement was
102 entered into on a timely filed return for each required
103 reporting period. The provisions of this chapter which apply to
104 interest and penalties on delinquent taxes shall apply to the
105 surcharge and local surcharge. The surcharge and local surcharge
106 shall not be included in the calculation of estimated taxes
107 pursuant to s. 212.11. The dealer's credit provided in s.
108 212.12 shall not apply to any amount collected under this
109 section.

110 ~~(5)(4)~~ The surcharge and any local surcharge imposed by
111 this section does not apply to a motor vehicle provided at no
112 charge to a person whose motor vehicle is being repaired,
113 adjusted, or serviced by the entity providing the replacement
114 motor vehicle.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Section 2. This act shall take effect July 1, 2006.

===== T I T L E A M E N D M E N T =====

Remove the entire title and insert:

A bill to be entitled

An act relating to a surcharge on the rental or lease of motor vehicles; amending s. 212.0606, F.S.; providing for the imposition by countywide referendum of an additional surcharge on the lease or rental of a motor vehicle; providing an exception; providing the proceeds of the surcharge to be transferred to the Local Option Fuel Tax Trust Fund and used for the construction and maintenance of state roads; providing an effective date.

COMMITTEE MEETING REPORT

Tourism Committee

3/28/2006 1:00:00PM

Location: 306 HOB

HB 453 : Designation of an Official State Pie of the State of Florida

☒ Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Bruce Antone	X				
Edward Bullard	X				
Don Davis	X				
Rene Garcia			X		
Hugh Gibson	X				
Sheri McInvale	X				
Nancy Detert (Chair)	X				
Total Yeas: 7		Total Nays: 0			

Appearances:

State Pie of Florida

Senator Larcenia Bullard - Proponent

8603 US I Hwy Suite 304

Miami Florida 33176

Phone: 305-668-7344

COMMITTEE MEETING REPORT

Tourism Committee

3/28/2006 1:00:00PM

Location: 306 HOB

HB 1007 CS : State Parks

☒ Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Bruce Antone			X		
Edward Bullard	X				
Don Davis	X				
Rene Garcia			X		
Hugh Gibson	X				
Sheri McInvale	X				
Nancy Detert (Chair)			X		
Total Yeas: 5 Total Nays: 0					

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3/28/2006 1:00:00PM

Location: 306 HOB

Summary:

Tourism Committee

Tuesday March 28, 2006 01:00 pm

HB 301 Favorable With Committee Substitute

Yeas: 6 Nays: 2

HB 453 Favorable

Yeas: 7 Nays: 0

HB 1007 CS Favorable

Yeas: 5 Nays: 0